

GUANTÁNAMO BAY DETENTION CAMP: HUMAN COST

IMPACT: Guantánamo Bay military prison is a site of egregious and ongoing human rights violations perpetrated by the United States government. Opened in early 2002 on a U.S. naval base in Cuba, the prison has housed 780 adults and minors from around the world—all Muslim—most of whom have been subjected to torture and severe abuse at the hands of the U.S. armed forces and the CIA. Most were never formally charged with any crime and were detained for years without trial. As of early 2021, forty remain imprisoned at Guantánamo Bay prison.

- **Since its founding in 2002, Guantánamo Bay military prison has held 780 adults and minors from around fifty different countries, all of whom are Muslim. As of early 2020, 731 of them (or 93 percent) have been released without ever having been formally charged.** Nine men have died in custody, seven by apparent suicide and two due to illness. **Of the forty remaining, six have been recommended for release but remain imprisoned.** Three have been proposed for trial but have not yet been charged with any crime. Nine out of the original 780 (or 1.15 percent) have been charged with or convicted of crimes and remain in Guantánamo. The remaining twenty-two individuals continue to be held without trial in indefinite detention.
- **Scholars like Dr. Maha Hilal have pointed out that Guantánamo Bay military prison is “reserved for the detention of Muslims and Muslims alone,” and that most coverage about the prison does not acknowledge the central role that Islamophobia has played in its creation and maintenance.** A 2005 investigation by the *New York Times* concluded that it has become an international symbol of anti-Muslim state violence, and of the abuse and injustice that the United States has perpetrated as part of the so-called “war on terror.”
- While former vice president Dick Cheney originally described the imprisoned men and boys in Guantánamo Bay as “the worst of a very bad lot,” and former secretary of state Donald Rumsfeld described them as “committed terrorists,” leaked documents (including one written by Rumsfeld himself) later proved otherwise. **Most of those imprisoned were either innocent or very low-level associates of the Taliban (including forced conscripts, cooks and drivers) and the government regularly exaggerated the danger they posed.** Additionally, numerous men imprisoned in Guantánamo Bay were later found to have been victims of mistaken identity and interrogators remained uncertain as to the exact identity of many of those imprisoned.
- Uncertainty about the identities of the adults and minors imprisoned comes in part from the haphazard ways in which many of them were captured. **During the U.S. invasion of Afghanistan in 2001, U.S. forces dropped fliers over tribal land offering up to \$5,000 for members of al-Qaeda. This provided financial incentives for residents of the area to target primarily Arab men and boys, many of whom were captured and turned over to U.S. forces without any legal justification or proof.** Human rights organization Reprieve asserts that 86 percent of prisoners at Guantánamo Bay were captured in this way. There is no public reporting as to how much money was paid out but in his 2006 memoir General Pervez Musharraf claimed that Pakistan had “earned bounties totaling millions of dollars” from the United States through turning over captured individuals.
- The **twenty-two men being held indefinitely at Guantánamo Bay military prison are sometimes referred to as the “Forever Prisoners.”** The U.S. government claims they must be detained because they are too dangerous to release, but that there is not enough evidence to convict them of any crime in court. However, outside observers and **lawyers for the men imprisoned argue that they are being detained because the full details of the torture inflicted on them would become public if they were ever brought to trial.**

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According to the 2014 Senate Intelligence Committee Study of the CIA’s interrogation and detention program, an interrogator told one man that he would never go to court because “we can never let the world know what I have done to you.” The report also described CIA cables in which individuals who participated in the torture were given assurance from higher-ups that their victims would “remain in isolation and incommunicado for the remainder of his life” and “never be placed in a situation where he has any significant contact with others and/or has the opportunity to be released.”

- A report by the UC Davis Center for the Study of Human Rights in the Americas estimates that **twenty-one children between the ages of thirteen and eighteen were transferred to the Guantánamo Bay military prison and held for a number of years.** The number is approximate because there is no information about the precise birthdate of many of the individuals imprisoned. One of these children, Yasser Talal al-Zahrani, died at age twenty-one from alleged suicide in Guantánamo after being imprisoned for over four years. Omar Khadr was fifteen when he was captured and was eventually tried for war crimes as an adult instead of being treated as a child soldier. A citizen of Canada, Khadr was eventually awarded a settlement of \$10.5 million by the Canadian government due to its role in keeping him unjustly imprisoned.
- In **June 2006, three of the imprisoned men at Guantánamo Bay military prison died by suicide on the same night. Advocates for the men involved argued that their suicides were motivated by despair over their indefinite detention.** Rather than addressing these concerns, the camp commander claimed that the deaths were acts “of asymmetrical warfare” waged against the United States, and another top U.S. official claimed they were “a tactic to further the jihadi cause.” Between 2002 and 2006 there were forty-one suicide attempts by twenty-three of those imprisoned, and between 2002 and 2003 the U.S. military reports that there were 350 acts of self-harm by those imprisoned.
- A **2019 report by The Center for Victims of Torture and Physicians for Human Rights identified “systemic and longstanding deficiencies” in medical care at Guantánamo Bay military prison.** For instance, those imprisoned at Guantánamo are barred from accessing their own medical records, and the medical records themselves do not include prisoners’ physical and psychological torture histories, leading to “misdiagnosis and improper treatment.” The report notes this is exacerbated by extreme medical neglect, the complicity of military medical professionals in torture, and medical professionals’ “inability or unwillingness to ask detainees about torture or other traumatic experiences during their time in the CIA’s rendition, detention, and interrogation program.” Moreover, according to the report, “both expertise and equipment are increasingly insufficient to address detainees’ health needs,” and “medical needs are subordinated to security functions” at the military prison.
- **A number of the men imprisoned in Guantánamo Bay were previously imprisoned in former CIA blacksites—secret prisons where “high value” detainees were held extrajudicially and tortured.** (It does not appear any minors were held in blacksites, at least based on current public knowledge.) These blacksites were located in Afghanistan, Lithuania, Romania, Poland, Thailand, and at a separate site on Guantámo Bay Naval Base. The **2014 Senate Intelligence Committee study of the CIA detention program reported that 119 men were imprisoned in blacksites around the world, and that at least thirty-nine of those men were subject to so-called “enhanced interrogation” procedures, a euphemism for torture.** These techniques included waterboarding, stress positions (chaining men in positions designed to cause intense physical pain), sleep deprivation (either through exposure to bright lights, loud music, or use of stress positions), extreme temperature manipulation, forced rectal feeding (a procedure analogous to rape), threats of death or

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further torture, threats of torture towards their families, mock burials (confinement in a small box), beatings, prolonged nudity, sexual assault, and deprivation of basic necessities such as food, exercise, hygiene, and access to a Qur'an.

- **According to a former defense attorney for one of the imprisoned men, the 2014 Senate report on the CIA detention program “probably represents 30% of the reality. ... The reality is far more brutal and far worse than what is known to the public.** As a criminal defense lawyer, I thought my ability to be shocked was pretty high, and yet some of the things I've seen and read are genuinely breathtaking and horrifying.” Recently released drawings by Abu Zubaydah, one of the men most affected by the torture program, depict in graphic detail the horrors that the blacksite prisoners were subjected to. Defense lawyers for the men who were tortured say that many of them now deal with severe mental health issues and sleep disorders as a result of their treatment in the blacksites.
- Cross-referencing the list of currently imprisoned men at Guantánamo Bay military prison with the list of former blacksite prisoners given in the Senate intelligence committee report shows that at least twenty-one of the forty men remaining in Guantánamo were at one point held in a CIA blacksite. Furthermore, twelve of those twenty-one men were subjected to torture during that time. Of the ten men who are either currently charged or proposed for trial in the military commission system, nine were subjected to blacksite torture, which has led to a serious delay in their trial proceedings, as lawyers involved debate what kinds of evidence are admissible, whether prisoners are receiving proper medical care, and whether or not they are entitled to more lenient sentences because they were tortured.
- **A blacksite in Afghanistan housed on Bagram Air Base was known as the “Salt Pit.” In 2002, CIA officers there killed Gul Rahman, an Afghan man believed to be in his early thirties, by stripping him naked and chaining him to a concrete floor for days, causing hypothermia. His death was kept secret for seven years, and none of the CIA officers involved were ever punished. In fact, the officer in charge of the blacksite at the time was given a \$2,500 bonus and commended for his “consistently superior work.”**
- The **men and boys imprisoned at Guantánamo Bay military prison have frequently engaged in hunger strikes in order to protest their detention and treatment.** According to detainee testimony, one of the first major hunger strikes began in 2002 and was in response to a guard deliberately kicking a copy of the Qur'an. Intermittent strikes continued, with one of the largest beginning in June 2005. **The strikers' demands included proper food and clean water, respect for their religion, fair trials, outside oversight on the camp, and the ability to contact their families.** Around two hundred of those imprisoned at the time—almost a third of the camp—participated in this strike and many of them went twenty-six days without food. The weight of around eighty of those men dropped below one hundred pounds due to the strike.
- Another major round of hunger strikes began in early 2013, and peaked with 106 strikers out of the 166 men still imprisoned at Guantánamo Bay military prison. However, data on this strike became scarce in late 2013 when the U.S. military said that it would no longer disclose the number of hunger strikers in Guantánamo. Lawyers for the men imprisoned occasionally report on the status of the strikes, and as of late 2017 some prisoners continue to strike.